

OIPE JC88  
NOV 09 2004  
U.S. PATENT AND TRADEMARK OFFICE

RCF  
OK

PTO/SB/30 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/765,169
Filing Date	January 28, 2004
First Named Inventor	Ichiro OZAWA, et al.
Group Art Unit	2852
Examiner Name	Robert B. Beatty
Attorney Docket Number	03500015174.1

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

### a. Previously submitted

- i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii.  Other \_\_\_\_\_

### b. Enclosed

- i.  Amendment/Reply
- ii.  Affidavit(s)/Declaration(s)
- iii.  Information Disclosure Statement (IDS)
- iv.  Other \_\_\_\_\_

11/12/2004 HGUTEMA1 00000004 10765169  
01 FC:1801

790.00 QP

## 2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

- b.  Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

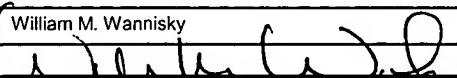
- a.  The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205

- i.  RCE fee required under 37 C.F.R. § 1.17(e)
- ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii.  Other \_\_\_\_\_

- b.  Check in the amount of \$ 790.00 is enclosed

- c.  Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	William M. Wannisky	Registration No. (Attorney/Agent)	28,373
Signature			
Date	November 9, 2004		

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	
Signature	
Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Director of the U.S.P.T.O., P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



In re Application of:

Ichiro OZAWA, et al.

Application No.: 10/765,169

Filed: January 28, 2004

For: IMAGE FORMING APPARATUS

Docket No. 03500.015174.1

Confirmation No.: 2167

Examiner: Robert B. Beatty

Group Art Unit: 2852

Date: November 9, 2004

**Mail Stop RCE**

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a **Preliminary Amendment** in the above-identified application.

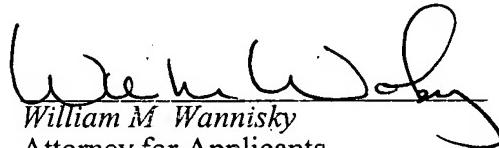
No additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	11	MINUS	21	= 0	x \$9 \$18	\$0.00
INDEP. CLAIMS	2	MINUS	3	= 0	x \$44 \$88	\$0.00
Fee for Multiple Dependent claims \$150°/\$300						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$0.00

- Verified Statement claiming small entity status is enclosed, if not filed previously.
- A check in the amount of \$\_\_\_\_\_ is enclosed.
- Charge \$\_\_\_\_\_ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.
- Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate copy of this paper is enclosed.
- A check in the amount of \$\_\_\_\_\_ to cover the fee for a \_\_\_\_\_ month extension is enclosed.
- A check in the amount of \$\_\_\_\_\_ to cover the Information Disclosure Statement fee is enclosed.
- Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the address given below.

Respectfully submitted,



William M. Wannisky  
Attorney for Applicants  
Registration No. 28,373

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

WMW\tas

03500.015174.1



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Ichiro OZAWA, et al. ) : Examiner: Robert B. Beatty  
Application No.: 10/765,169 ) : Group Art Unit: 2852  
Filed: January 28, 2004 ) : Confirmation No.: 2167  
For: IMAGE FORMING APPARATUS ) : November 9, 2004

**Mail Stop RCE**

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Applicants are in receipt of a Notice of Allowance dated August 9, 2004, in the above-identified application. The combined Issue and Publication Fees are due on or before November 9, 2004, and have not been paid. Applicants are concurrently filing a Request for Continued Examination (the "RCE") in lieu of paying the combined fees.

Prior to examination on the merits, the Examiner is respectfully requested to amend the above-identified application, as follows: